

**YAMAMOTO et al**  
**Serial No. 10/529,236**  
January 8, 2007

**AMENDMENT TO THE DRAWINGS**

The attached replacement sheet of drawings includes changes to Figs. 3A-3C. The replacement sheet, which includes Figs. 3A-3C, replaces the original sheet including Figs.

Attachment: Replacement Sheet – Figs. 3A-3C

**REMARKS**

Favorable reconsideration and allowance of this application are requested.

By way of the amendment instructions above, a revised Abstract has been submitted which is believed to respond fully to the Examiner's criticisms with respect to the Abstract as originally filed.

A replacement drawing sheet is being submitted wherein Figs. 3A, 3B and 3C have been separately labeled as such. Appropriate changes to the specification have also been proffered.

Claim 1 has been amended so as to include the substance of original claim 2. Claim 2 on the other hand has been revised so as to define the residual heat shrinkage of film (A) of 1 to 10% as supported, for example, by page 20, lines 12-13 of the originally filed specification.

Claims 6 and 7 have each been amended so as to adopt the Examiner's helpful suggestions and thereby render moot the rejection advanced under 35 USC §112, second paragraph.

Claims 12 and 14 have been cancelled.

Therefore, amended versions of claims 1-11 remain pending in this application for which favorable reconsideration and allowance are requested.

The only issue remaining to be resolved in this application is the Examiner's assertion that prior claim 2 is rendered unpatentable under 35 USC §103(a) based on USP 3,956,867 to Utz et al ("Utz et al") in view of JP 61-6787 to the Sumitomo Bakelite

Company ("Sumitomo Bakelite") and JP 2000-037828 to Takahisa et al ("Takahisa et al").<sup>1</sup>

Applicants note that the film with small shrinkability (A) has been clarified in the amended version of claim 1 above to recite a residual heat shrinkage rate at 100°C of 1 to 15%. In addition, the amended version of claim 1 requires that the film with small shrinkability (A) is one formed by stretching a film having deep draw moldability at 80 to 95°C with extension ratio of 2.5 to 4.0 times in a machine direction (MD) and with extension ratio of 2.5 to 4.0 times in a machine direction (MD) a transverse direction (TD) and then shrinking the film at 70 to 98° C by 10 to 40% in the MD and by 10 to 40% in the TD.

The thus-formed multi-layer film according to the present invention maintains its fundamental strength (e.g., tensile strength) at a high level as a result of high-level stretching of the polyamide resin layer, and exhibits lowered heat shrinkability as a result of high-temperature thermal relaxation performed subsequent to the stretching. Therefore, the sealed portion is not curled more than necessary, and the resultant packaged product exhibits good appearance. In addition, the deep-drawn portion is thermally shrunk in an efficient manner, and thus, for example, formation of wrinkles on the packaged product can be prevented; i.e., the packaged product exhibits improved appearance. (See the present specification, page 35, line 14 to page 38, line 2.

Contrary to the present invention, the applied Utz et al reference is completely silent on the amount of the residual heat shrinkage at 100°C being between 1 to 15% as required by the pending claims herein. Furthermore, both of the Sumitomo Bakelite and Takahisa et al references are silent regarding methods to prepare a packaged product by such a deep draw packaging method as defined by the pending claims herein.

---

<sup>1</sup> The inclusion of the original claim 2 subject matter in the amended version of claim 1 presented herewith is believed to moot all other art-based rejections advanced in the Official Action.

**YAMAMOTO et al**  
**Serial No. 10/529,236**  
January 8, 2007

Therefore, the present invention as claimed in the currently amended version of claim 1 as well as claims 2 to 11 dependent therefrom is suggested to be **unobvious** from Utz et al in view of Sumitomo Bakelite and Takahisa et al. Specifically, Utz et al does not disclose or suggest the use of a film having small shrinkability as defined in the amended version of claim 1. And, neither Sumitomo Bakelite nor Takahisa et al discloses or suggests a method to prepare a packaged product by a deep draw packaging method.

Withdrawal of all art-based rejections advanced in the Official Action is believed to be in order.

Every effort has been made to advance prosecution of this application to allowance. Therefore, in view of the amendments and remarks above, applicant suggests that all claims are in condition for allowance and Official Notice of the same is solicited.

Should any small matters remain outstanding, the Examiner is encouraged to telephone the Applicants' undersigned attorney so that the same may be resolved without the need for an additional written action and reply.

An early and favorable reply on the merits is awaited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

Bryan H. Davidson  
Reg. No. 30,251

BHD:bcf  
901 North Glebe Road, 11<sup>th</sup> Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100